

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

KENNETH ALLEN RENEAU  
AMY ELIZABETH RENEAU

CASE NO: 10-70037-HDH-13

HEARING DATE: 10/20/2010

HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

| Trustee Clm# | Creditor Name                    | Scheduled Amount | Trustee Clm# | Creditor Name              | Scheduled Amount |
|--------------|----------------------------------|------------------|--------------|----------------------------|------------------|
| 023 0 U      | SEARS HOLDINGS HR SUPPORT CENTER | \$980.66         | 025 0 U      | TEXHOMA FINANCIAL SERVICES | \$100.00         |
| 026 0 U      | US CELLULAR                      | \$1,294.08       | 028 0 U      | WFCB/HSN                   | \$272.00         |
| 040 0 U      | MONCOR MORTGAGE                  | \$4,000.00       |              |                            |                  |

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

| Trustee Claim #                 | Creditor  | Collateral / Description   | Claim Amount | Value        | %      | Term | Paid / Treated           |
|---------------------------------|---|----------------------------|--------------|--------------|--------|------|--------------------------|
| <b><u>SECURED CREDITORS</u></b> |   |                            |              |              |        |      |                          |
| 009 0                           | CAPITAL ONE AUTO FINANCE                                    | 2004 CHEVY PU              | \$12,675.09  | \$11,304.00  | 9.00%  | 60   | \$245.09 PAID BY TRUSTEE |
|                                 | Extended term to 60 months. See modification below.         |                            |              |              |        |      |                          |
| 011 0                           | WICHITA COUNTY  | 2009 PROPERTY TAXES        | \$4,124.17   | \$171,877.00 | 12.00% | 60   | \$99.02 PAID BY TRUSTEE  |
|                                 | Extended term to 60 months. See modification below.         |                            |              |              |        |      |                          |
| 011 1                           | WICHITA COUNTY  | 2010 PROPERTY TAXES        | \$3,856.00   | \$171,877.00 |        |      | PD DIRECT BY DEBTOR      |
|                                 | Not provided for in confirmed plan. See modification below. |                            |              |              |        |      |                          |
| 018 0                           | HSBC AUTO FINANCE   | 2008 EXPEDITION            | \$40,899.97  | \$40,899.97  | 9.00%  | 60   | \$903.73 PAID BY TRUSTEE |
|                                 | Extended term to 60 months. See modification below.         |                            |              |              |        |      |                          |
| 022 0                           | MONCOR MORTGAGE   | HOME EQUITY LOAN           | \$0.00       | \$176,477.00 |        |      | PD DIRECT BY DEBTOR      |
| 031 0                           | WELLS FARGO FINANCIAL TEXAS INC                             | DIRECT PMTS--STAY LIFTED   | \$113,254.21 | \$167,949.83 |        |      | STAY LIFTED              |
| 033 0                           | CAPITAL ONE AUTO FINANCE                                    | 2007 CALIBER               | \$7,878.99   | \$7,878.99   | 9.00%  | 60   | \$174.47 PAID BY TRUSTEE |
|                                 | Extended term to 60 months. See modification below.         |                            |              |              |        |      |                          |
| 034 0                           | SILVERLEAF RESORTS INC                                      | TIME SHARE                 | \$6,084.39   | \$6,570.00   |        |      | SURRENDERED              |
| 057 0                           | WELLS FARGO FINANCIAL TEXAS INC                             | ARREARS THRU --STAY LIFTED | \$1,250.00   | \$0.00       |        |      | STAY LIFTED              |

**UNSECURED GENERAL CREDITORS**

| Trustee Clm# | Creditor Name                       | Claim Amount | Trustee Clm# | Creditor Name                       | Claim Amount |
|--------------|-------------------------------------|--------------|--------------|-------------------------------------|--------------|
| 008 0 U      | PRA RECEIVABLES MANAGEMENT          | \$4,403.80   | 009 1 U      | CAPITAL ONE AUTO FINANCE            | \$1,371.09   |
|              | PURCHASES/BANK OF AMERICA           |              |              | SPLIT CLAIM/2004 CHEVY PICKUP       |              |
| 010 0 U      | CAPITAL ONE BANK USA                | \$3,842.94   | 014 0 U      | PRA RECEIVABLES MANAGEMENT          | \$954.63     |
|              | PURCHASES                           |              |              | PURCHASES/GEMB CHEVRYON AND TEXACO  |              |
| 015 0 U      | PRA RECEIVABLES MANAGEMENT          | \$1,487.03   | 017 0 U      | GEMB MONEY BANK                     | \$180.78     |
|              | PURCHASES/GEMB JC PENNEY            |              |              | PURCHASES/GEMB LOWES PLATINUM VISA  |              |
| 019 0 U      | HSBC BANK NEVADA                    | \$1,036.27   | 020 0 U      | LVNV FUNDING                        | \$231.97     |
|              | PURCHASES                           |              |              | SERVICES/MCI                        |              |
| 021 0 U      | AMERICAN INFOSOURCE LP AS AGENT FOR | \$122.56     | 024 0 U      | CANDICA                             | \$972.39     |
|              | PURCHASES/LANE BRYANT               |              |              | PURCHASES                           |              |
| 027 0 U      | AMERICAN INFOSOURCE LP AS AGENT FOR | \$1,180.30   | 029 0 U      | AMERICAN INFOSOURCE LP AS AGENT FOR | \$440.10     |
|              | PURCHASES/VICTORIAS SECRET          |              |              | PURCHASES/BEALLS                    |              |
| 030 0 U      | AMERICAN INFOSOURCE LP AS AGENT FOR | \$271.36     | 035 0 U      | CAPITAL ONE BANK USA                | \$1,684.01   |
|              | PURCHASES/NEW YORK AND CO           |              |              | PURCHASES                           |              |
| 037 0 U      | HSBC BANK NEVADA                    | \$685.59     | 038 0 U      | HSBC BANK NEVADA                    | \$427.20     |
|              | PURCHASES                           |              |              | PURCHASES                           |              |
| 039 0 U      | HSBC BANK NEVADA                    | \$380.14     | 062 0 U *    | SOUTHWESTERN BELL TELEPHONE COMPANY | \$147.27     |
|              | PURCHASES                           |              |              | SERVICES                            |              |
|              |                                     |              |              | Not provided for in confirmed plan. |              |

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

All creditors shall be treated over a 60 month plan term.

The secured claim filed by Wichita County for \$7,980.17 shall be valued at \$171,877.00 and broken down as follows: The portion of the claim for 2009 taxes in the amount of \$4,124.17 shall be paid through the plan over 60 months at 12% interest with a payment of \$99.02 per month. The portion of the claim for 2010 taxes in the amount of \$3,856 shall be paid direct.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 10/20/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 9/8/2010

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

AMERICAN INFOSOURCE LP AS AGENT FOR WORLD FINANCIAL NETWORK NATIONAL BK PO BOX 248872 OKLAHOMA CITY OK 73124  
ASCENSION CAPITAL GROUP PO BOX 201347 ARLINGTON TX 76006  
BANK OF AMERICA 4060 OGLESTOWN/STAN NEWARK DE 19713  
CANDICA C/O WEINSTEIN & RILEY 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121  
CANDICA C/O WEINSTEIN & RILEY PO BOX 3978 SEATTLE WA 98124  
CAPITAL ONE 6125 LAKEVIEW ROAD, STE 800 CHARLOTTE NC 28269  
CAPITAL ONE AUTO FINANCE 3901 N DALLAS PKWY PLANO TX 75093  
CAPITAL ONE AUTO FINANCE C/O ASCENSION CAPITAL GROUP PO BOX 201347 ARLINGTON TX 76006  
CAPITAL ONE AUTO FINANCE PO BOX 201347 ARLINGTON TX 76006  
CAPITAL ONE BANK USA BY AMERICAN INFOSOURCE LP PO BOX 71083 CHARLOTTE NC 28272  
CITY OF WF, WFISD AND WICHITA COUNTY C/O PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307  
COMMUNITY STATE BANK PO BOX 3910 TUPELO MS 38803  
DEVLIN NAYLOR & TURBYFILL 4801 WOODWAY SUITE 420 WEST HOUSTON TX 77056  
EXECUTIVE SERVICES 1200 AUSTIN ST WICHITA FALLS TX 76301  
GEMB CHEVRON ATTENTION BANKRUPTCY PO BOX 103106 ROSWELL GA 30076  
GEMB MONEY BANK RECOVERY MANAGEMENT SYSTEMS CORPORATION 25 SE 2ND AVE STE 1120 MIAMI FL 33131  
GEMB/ LOWES DC ATTENTION: BANKRUPTCY PO BOX 103106 ROSWELL GA 30076  
GEMB/JC PENNY ATTN BANKRUPTCY PO BOX 103106 ROSWELL GA 30076  
HOLIDAY HILLS 2380 E HWY 76 BRANSON MO 65616  
HSBC AUTO FINANCE BANKRUPTCY NOTICES PO BOX 17909 SAN DIEGO CA 92177  
HSBC AUTO FINANCE PO BOX 201347 ARLINGTON TX 76006  
HSBC AUTO FINANCE PO BOX 60130 CITY OF INDUSTRY CA 91716  
HSBC BANK NEVADA C/O PRA RECEIVABLES MANAGEMENT PO BOX 12907 NORFOLK VA 23541  
HSBC BANK/BANKRUPTCY PO BOX 5253 CAROL STREAM IL 60197  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
JC PENNEY PO BOX 533 DALLAS TX 75221  
KENNETH ALLEN RENEAU & AMY ELIZABETH RENEAU 4705 STANSBURY LN WICHITA FALLS TX 76310  
LANE BRYANT RETAIL 450 WINKS LANE BENSALAM PA 19020  
LVNV FUNDING C/O RESURGENT CAPITAL SERVICES PO BOX 10587 GREENVILLE SC 29603  
LVNV FUNDING PO BOX 10587 GREENVILLE SC 29603  
MONCOR MORTGAGE 15301 SPECTRUM DRIVE STE 405 ADDISON TX 75001  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
SEARS HOLDINGS HR SUPPORT CENTER PO BOX 2400 OMAHA NE 68103  
SILVERLEAF RESORT PO BOX 358 DALLAS TX 75221  
SILVERLEAF RESORTS INC 1221 RIVERBEND SUITE 120 DALLAS TX 75247  
SOUTHWESTERN BELL TELEPHONE COMPANY % AT&T ATTORNEY JAMES GRUDUS ESQ ONE AT&T WAY ROOM 3A218 BEDMINSTER NJ 07921  
TARGET NATIONAL BANK C/O WEINSTEIN & RILEY PS 2001 WESTERN AVENUE STE 400 SEATTLE WA 98121  
TARGET NATIONAL BANK PO BOX 9475 MINNEAPOLIS MN 55440  
TEXHOMA FINANCIAL SERVICES PO BOX 4508 WICHITA FALLS TX 76308  
TRANSWORLD SYSTEMS INC PO BOX 15630 WILMINGTON DE 19850  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
US CELLULAR PO BOX 650684 DALLAS TX 75265  
VICTORIAS SECRET PO BOX 182273 COLUMBUS OH 43218  
WELLS FARGO FINANCIAL TEXAS INC 4137 121ST STREET URBANDALE IA 50323  
WELLS FINANCIAL MORTGAGE 1800 S LOOP 288 STE 101 DENTON TX 76205  
WFCB/HSN POB 337003 NORTH GLENN CO 80233  
WFFNB-BEALLS PO BOX 182125 COLUMBUS OH 43218  
WFNNB/NEW YORK & COMPANY 220 W SCHROCK RD WESTERVILLE OH 73081  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242